House File 166 - Introduced

HOUSE FILE 166 BY WILLS

A BILL FOR

- 1 An Act relating to the creation of a green alert program for
- 2 missing veterans-at-risk.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. Section 694.1, subsection 1, Code 2019, is
- 2 amended by adding the following new paragraph:
- 3 NEW PARAGRAPH. e. Is a veteran-at-risk.
- 4 Sec. 2. Section 694.1, Code 2019, is amended by adding the
- 5 following new subsection:
- 6 NEW SUBSECTION. 3. "Veteran-at-risk" means a veteran as
- 7 defined in section 35.1 or an active duty member of the armed
- 8 forces of the United States, a member of a reserve component
- 9 thereof, or a member of the national guard who, based on the
- 10 information provided by a person filing a complaint pursuant to
- 11 section 694.2, is a veteran or member with a physical or mental
- 12 health condition related to the military service of the veteran
- 13 or member.
- 14 Sec. 3. NEW SECTION. 694.5A Green alert program for missing
- 15 veterans-at-risk.
- 16 l. For purposes of this section:
- 17 a. "Department" means the department of public safety.
- 18 b. "Green alert" means a public alert program for missing
- 19 veterans-at-risk.
- 20 2. The department shall establish a green alert to require
- 21 a law enforcement agency that receives a report of a missing
- 22 person involving a veteran-at-risk to submit a request for a
- 23 public alert to the state patrol as soon as practicable. The
- 24 department shall implement activation procedures for a green
- 25 alert by the same mechanisms currently used by the department
- 26 for the public alert program for missing and abducted children.
- 27 3. The department shall develop the criteria to be used
- 28 in determining whether a green alert shall be issued by the
- 29 state patrol. The department shall develop the criteria in
- 30 collaboration with the department of veterans affairs, the
- 31 commission of veterans affairs, the United States department
- 32 of veterans affairs, the department of human services, and the
- 33 Iowa association of broadcasters. The criteria shall include
- 34 but not be limited to the following:
- 35 a. A report of a missing veteran-at-risk must be provided

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- 1 to a law enforcement agency within seventy-two hours of the 2 veteran-at-risk's disappearance.
- 3 b. There is reason to believe the veteran-at-risk may
- 4 be missing as a consequence of a physical or mental health
- 5 condition related to the veteran-at-risk's military service.
- 6 c. There is sufficient information available to disseminate
- 7 a green alert to the public that could assist in locating the
- 8 missing veteran-at-risk.
- 9 3. The department shall develop and disseminate to Iowa law
- 10 enforcement agencies a form to be used in submitting a request
- 11 to the state patrol for a green alert.
- 12 4. The commissioner of public safety shall adopt rules
- 13 pursuant to chapter 17A consistent with the purposes of this
- 14 section.
- 15 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 18 This bill relates to the creation of a green alert program
- 19 for missing veterans-at-risk.
- 20 The bill adds "veteran-at-risk" to the definition of a
- 21 "missing person" under Code section 694.1. A "veteran-at-risk"
- 22 is defined as a veteran or an active duty member of the armed
- 23 forces of the United States, a member of a reserve component
- 24 thereof, or a member of the national guard who, based on the
- 25 information provided by a person filing a complaint pursuant
- 26 to Code section 694.2, is a veteran or member with a physical
- 27 or mental health condition related to the military service of
- 28 the veteran or member. Under Code sections 694.2 and 694.3,
- 29 a person may file a complaint of a missing person with a law
- 30 enforcement agency and the law enforcement agency is required
- 31 to prepare, as soon as practicable, a report on the missing
- 32 person. Upon completion of the report, the law enforcement
- 33 agency must disseminate the report to other law enforcement
- 34 agencies pursuant to Code section 694.4.
- 35 The bill directs the department of public safety to

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1 establish a green alert, which is defined in the bill as a 2 public alert program for missing veterans-at-risk, requiring 3 a law enforcement agency that receives a report of a missing 4 person involving a veteran-at-risk to submit a request for a 5 public alert to the state patrol as soon as practicable. 6 green alert shall be implemented in a substantially similar 7 fashion as the activation procedures used for an AMBER alert 8 pursuant to administrative rules of the department of public 9 safety relating to missing and abducted children. The bill requires the department of public safety to develop 10 ll the criteria to be used by the state patrol in determining 12 whether a green alert shall be issued. The criteria shall 13 include but not be limited to the following: (1) a report of a 14 missing veteran-at-risk must be provided to a law enforcement 15 agency within 72 hours of the veteran-at-risk's disappearance; 16 (2) there is reason to believe the veteran-at-risk may be 17 missing as a consequence of a physical or mental health 18 condition that is related to the veteran-at-risk's military 19 service; and (3) there is sufficient information available to 20 disseminate a green alert to the public that could assist in 21 locating the missing veteran-at-risk. 22 The bill requires the department of public safety to develop 23 and disseminate to law enforcement agencies a form to be used 24 in submitting a request to the state patrol for a green alert, 25 and requires the department of public safety to adopt rules 26 consistent with the provisions of the bill.